

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 29-31, 33-37, 39, and 40 are pending in the present application, Claims 29 and 35 having been amended, and claims 32 and 38 having been canceled without prejudice or disclaimer. Claims 29 and 35 are amended to include the subject previously presented in Claims 32 and 38. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, a requirement for information was made under 35 CFR §1.105l ; the specification was objected to; Claims 29-40 were rejected under 35 U.S.C. §112, first paragraph; Claims 29, 30, 33-36, 39, and 40 were rejected under 35 U.S.C. §102(b) as anticipated by Geradts et al., *Methods for Identification of Images Acquired with Digital Cameras* (hereinafter Geradts); Claims 31 and 37 were rejected under 35 U.S.C. §103(a) as unpatentable over Geradts in view of Chen et al., *Symmetric Phase Only Matched Filtering of Fourier-Mellin Transforms* (hereinafter Chen); and Claims 32 and 38 were rejected under 35 U.S.C. §103(a) as unpatentable over Geradts in view of Schipper et al. (U.S. Patent No. 5,764,770, hereinafter Schipper).

REQUEST FOR INFORMATION

The request for information under 37 C.F.R. § 1.105 is addressed separately in a paper entitled Response to Requirement for Information under 37 C.F.R. § 1.105 and Petition under 37 C.F.R. § 1.181 filed concurrently herewith.

RESPONSE TO OBJECTIONS AND REJECTIONS

With respect to the objection to the specification and the rejection under 35 U.S.C. §112, first paragraph, the claims are amended to remove the language objected to in the Office Action. Accordingly, these grounds of objection and rejection are believed to have been overcome.

Applicants respectfully submit that amended Claim 29 recites novel features neither disclosed nor rendered obvious by the applied art. Amended Claim 29 recites, *inter alia*,

the correlation detection section is configured to cut out first subset image data from reference image data based on a first cutout position, to cut out second subset image data from the first image data based on a second cutout position shifted with respect to the first cutout position, and to detect a correlation between the first subset image data and the second subset image data.

Geradts does not disclose or suggest these elements of amended Claim 29, which were previously presented in Claim 32. The outstanding Office Action relies on Schipper to disclose Claim 32. Applicants respectfully traverse this position.

Schipper describes a system to add image authentication information to a digital image, which concerns the circumstances of formation of a digital image.¹ This image authentication information includes location information, angle orientation information, and time of image formation.² The image authentication information is added by intentionally altering pixel values of the digital image.³

With respect to authenticating the digital image, Schipper states:

Authentication of the image is provided by comparing the position information contained in the digital frame with the putative position information that is asserted or is on file elsewhere. If the downloaded or displayed position information and the putative position information substantially agree, the corresponding digital image on that frame may be authenticated. If the downloaded or displayed position information and the putative position information do not substantially agree, authentication of the corresponding digital image on that frame may be withheld.⁴

¹ Schipper, col. 7, lines 65 to col. 8, lines 1.

² Schipper, col. 7, lines 2-9.

³ Schipper, col. 7, lines 16-21 and col. 13, lines 23-26.

⁴ Schipper, col. 15, lines 35-45.

The authentication process of Schipper does not involve cutting out image data from a first position in the reference image and cutting out image data from a second position, shifted from the first position, in an image under test.

When rejecting Claim 32, the Office Action relies on Figs. 9A-9G, and 10-14 of Schipper, and col. 18, lines 10-45 of Schipper. However, these portions of Schipper do not disclose or suggest the above-noted elements of amended Claim 29.

Col. 18, lines 10-45 and Figs. 9A-9G describe tessellating a pixel array, where Figs. 9A-9G show exemplary polygons that may be used. This portion of Schipper pertains to the location of the authentication information in the digital image, and there is no disclosure or suggestion of

the correlation detection section is configured to cut out first subset image data from reference image data based on a first cutout position, to cut out second subset image data from the first image data based on a second cutout position shifted with respect to the first cutout position, and to detect a correlation between the first subset image data and the second subset image data.

Since Geradts and Schipper do not disclose or suggest the above-noted elements of amended Claim 29, Applicants respectfully submit that a person of ordinary skill in the art could not properly combine Geradts and Schipper to arrive at the invention defined by Claim 29.

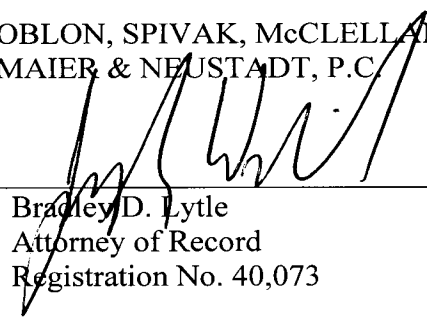
In view of the above-noted distinctions, Applicants respectfully submit that Claim 29 (and any claims dependent thereon) patentably distinguish over, Geradts and Schipper, taken alone or in proper combination. Applicants respectfully submit that Claim 35 recites elements analogous to those of amended Claim 29. Applicants respectfully submit that Claim 35 patentably distinguishes over, Geradts and Schipper, taken alone or in proper combination, for at least the reasons stated for Claim 35.

Addressing each of the further rejections, each of the further rejections is also traversed by the present response as no teachings in any of the further cited references to Chen can overcome the above-noted deficiencies of Geradts and Schipper.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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DOCKET NO: 243627US6

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
YOICHI NISHINO : EXAMINER: SMITH, J. S.
SERIAL NO: 10/678,747 :
FILED: OCTOBER 6, 2003 : GROUP ART UNIT: 2624
FOR: DATA PROCESSING APPARATUS :
AND ASSOCIATED METHOD OF
IDENTIFYING AN IMAGE DATA
SOURCE BY DETECTING VARIATIONS
IN STRENGTH OF DIFFERENT LIGHT
RECEIVING ELEMENTS

RESPONSE TO REQUIREMENT FOR INFORMATION UNDER 37 CFR §1.105

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

A Request for Information pursuant to 37 CFR §1.105 was issued to Applicants on May 14, 2008. Below is a response to that request, which is made with candor and in good faith under 37 CFR §1.56.

1. What is the current status of Japanese application 2002-292621 filed October 4, 2002.

Applicants respectfully submit that this request for information is improper (see accompanying petition) and/or satisfied by the answers provided in the response filed on Oct. 31, 2007. Additional information is unknown and/or not readily available.

2. What is the current status of Japanese application 2003-103115 filed April 7, 2003?

Applicants respectfully submit that this request for information is improper (see accompanying petition) and/or satisfied by the answers provided in the response filed on Oct. 31, 2007. Additional information is unknown and/or not readily available.

3. Did the Japanese Patent Office make any rejections in Japan 2002-292621 filed October 4, 2002? If so, submit a copy of each rejection.

Applicants respectfully submit that this request for information is improper (see accompanying petition) and/or satisfied by the answers provided in the response filed on Oct. 31, 2007. Additional information is unknown and/or not readily available.

4. Did the Japanese Patent Office make any rejections in Japan 2003-103155 filed April 7, 2003? If so, submit a copy of each rejection.

Applicants respectfully submit that this request for information is improper (see accompanying petition) and/or satisfied by the answers provided in the response filed on Oct. 31, 2007. Additional information is unknown and/or not readily available.

5. What is the application number and current status of every application that claims priority to Japanese application 2002-292621?

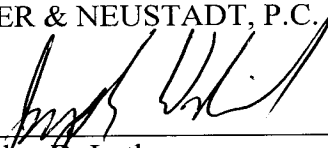
Applicants respectfully submit that this request for information is improper (see accompanying petition) and/or satisfied by the answers provided in the response filed on Oct. 31, 2007. Additional information is unknown and/or not readily available.

6. What is the application number and current status of every application that claims priority to Japanese application 2003-103115?

Applicants respectfully submit that this request for information is improper (see accompanying petition) and/or satisfied by the answers provided in the response filed on Oct. 31, 2007. Additional information is unknown and/or not readily available.

Respectfully submitted,

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